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7  
8 IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SAN JOSE DIVISION E-FILED - 8/4/05\*

10 UNITED STATES OF AMERICA, ) No. CR 05-00344-RMW  
11 )  
Plaintiff, )  
12 )  
v. ) **STIPULATION AND**  
13 ) **ORDER TO CONTINUE STATUS DATE**  
JUAN IBARRA-ALVAREZ, )  
14 )  
Defendant. )  
15 \_\_\_\_\_)

16 Assistant United States Attorney Susan Knight and defendant, Juan Ibarra-Alvarez,  
17 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree  
18 that the status date in the above-captioned matter, presently scheduled for Monday, July 25,  
19 2005, should be continued to Monday, August 22, 2005 at 9:00 a.m.

20 The parties stipulate and agree that the July 25 date should be continued because defense  
21 counsel would like to have time to review immigration hearing tapes to determine if there are any  
22 motions that can be filed in this case. Defense counsel has not yet received these tapes.  
23 Government counsel has ordered the tapes and expects to receive them within the next week or  
24 two.

25 The parties further stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv),  
26 the ends of justice served by the continuance requested outweigh the best interest of the  
defendant and public in a speedy trial because the failure to grant such a continuance would

1 unreasonably deny Mr. Ibarra the time necessary for effective preparation, taking into account the  
2 exercise of due diligence.

3  
4 Dated: July 20, 2005

\_\_\_\_\_/s/\_\_\_\_\_  
ANGELA M. HANSEN  
Assistant Federal Public Defender

5  
6  
7 Dated: July 20, 2005

\_\_\_\_\_/s/\_\_\_\_\_  
SUSAN KNIGHT  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05-00344 RMW
	)	
Plaintiff,	)	<b>ORDER CONTINUING</b>
	)	<b>STATUS DATE AND EXCLUDING</b>
v.	)	<b>TIME</b>
	)	
JUAN IBARRA-ALVAREZ,	)	
	)	
Defendant.	)	
_____	)	

The parties have jointly requested to continue the status date set for July 25, 2005 to August 22, 2005 at 9:00 a.m. so that defense counsel can have additional time to investigate and prepare Mr. Ibarra's case.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date presently set for July 25, 2005 be continued to Monday, August 22, 2005 at 9:00 a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from July 25, 2005 through and including August 22, 2005, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv).

Dated: August 4, 2005

/s/ Ronald M. Whyte  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge

1 Distribute to:

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